IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE K.C. BHANU**

**WRIT PETITION NO : 23399 of 2004**

Between:

Gorle Peda Appala Naidu,

S/o.Peetambaram,
R/o.Lagarai Village, Rajavommangi Mandal,
E.G.Dist.

**..... PETITIONER**

AND

1. The Addl.Agent to the Government,

   East Godavari District, at Rampachodavaram.
2. The Special Deputy Collector,

   Tribal Welfare, Rampachodavaram,
   East Godavary District.
3. The M.R.O.,Rajavommangi,

   East Godavary District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ or order or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents 2 & 3 in evicting the petitioner from the land to an extent of Ac.10-02 cents, In Sy.No.1/11 of Lagarai (v), Rajavommangi (M) East Godavari District in pursuance of the order in L.T.R.P No.90/2004, passed by the 2nd respondent as illegal, arbitrary and unjust and consequently direct the respondents not to evict the petitioner from the above land pending disposal of the appeal preferred before the 1st respondent.

**Counsel for the Petitioner: MR.K.VENKATESH**

**Counsel for the Respondents 1 to 3: GP FOR SOCIAL WELFARE**

**The Court at the admission stage, made the following :**

**THE HON'BLE MR JUSTICE K.C.BHANU**

**WRIT PETITION No. 23399 of 2004**

**ORDER:**

The petitioner already filed the statutory appeal on 08-12-2004, as provided under the provisions of A.P.Scheduled Areas Land Transfer Regulations, before the 1st respondent-Additional Agent to the Government, East Godavari District, Rampachodavaram. But, the petitioner, Instead of pursuing his remedies at the 1st respondent, filed the present writ petition. With regard to the same issue, involved in the appeal as well as in the writ petition, two proceedings cannot be entertained.

2. Therefore, the writ petition is devoid of merit and is dismissed at the stage of admission. However, the 1st respondent is directed to pass appropriate orders on the said appeal filed by the petitioner within a period of two weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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December 16, 2004

Kvr
TO

1. The Addl.Agent to the Government,

   East Godavari District, at Rampachodavaram.
2 The Special Deputy Collector,

   Tribal Welfare, Rampachodavaram,
   East Godavary District.
3 The Mandal Revenue Officer,Rajavommangi,

   East Godavary District.

4. Two C.Cs. to G.P. for Social Welfare,

High Court buildings,

High Court of A.P.,

Hyderabad (O.U.T.)

5 Two C.D. Copies.